

08/089407



PATENT

Atty. Docket No. 0035.009

**CERTIFICATE OF EXPRESS MAILING:**

I hereby certify that I am depositing this paper with the United States Postal Service under the "Express Mail, Post Office to Addressee" service under 37 CFR §1.10 on July 8 1993, Express Mail mailing label no. RB 637 794 542 US, addressed to the Commissioner of Patents and Trademarks, BOX FWC, Washington, D.C. 20231.

Barbara G. McClung

(Name of person mailing paper or fee)

Barbara G. McClung

(Signature of person mailing paper or fee)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: LUCIW, et al.

Serial No.: FWC of S.N. 07/931,154 ✓

Group Unit: 1813

Filed: Even Date Herewith

Examiner: Woodward

For: HUMAN IMMUNODEFICIENCY VIRUS (HIV) NUCLEOTIDE SEQUENCES, RECOMBINANT POLYPEPTIDES, AND APPLICATIONS THEREOF

**TRANSMITTAL LETTER**

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

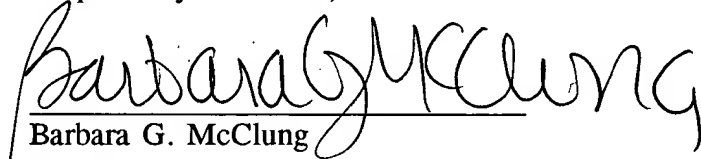
Sir:

Enclosed are the following documents:

1. Request Form for File Wrapper Continuing Application Under 37 CFR 1.62

2. Preliminary Amendment
3. Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account
4. **COPY:** Petition for Three-Month Extension of Time Pursuant to 37 CFR 1.17(b), mailed 07/08/93 to PTO, for Serial No. 07/931,154
5. A check in the amount of \$710.00 representing the filing fee. The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.
6. Postal Receipt Card

Dated: July 8, 1993

Respectfully submitted,  
  
By: Barbara G. McClung  
Reg. No. 33,113

CHIRON CORPORATION  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2718  
Facsimile: (510) 655-3542



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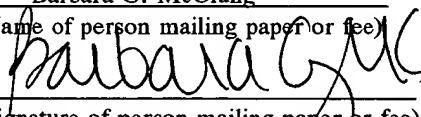
PATENT  
Atty. Docket No. 0035.009

REQUEST FORM FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 CFR 1.62

<u>Docket Number</u>  0035.009	<u>Anticipated Classification of This Application:</u>  Class _____ Subclass _____	<u>Prior Application:</u>  No. 07/931,154	<u>Prior Application:</u>  Art Unit: 1813  Exam.: Woodward
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Barbara G. McClung  
(Name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR 1.62 of pending prior application Serial No. 07/931,154, filed on August 17, 1992 for HUMAN IMMUNODEFICIENCY VIRUS (HIV) NUCLEOTIDE SEQUENCES, RECOMBINANT POLYPEPTIDES, AND APPLICATIONS THEREOF by the following named inventors:

Full Name of **First** Inventor: Paul A. Luciw  
Residence: 614 Sycamore Lane, #241  
Davis, CA 95616  
Country of Citizenship: United States

Full Name of **Second** Inventor: Dino Dina  
Residence: 2049 Bywood Drive  
Oakland, CA 94602  
Country of Citizenship: Italy

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1. \_\_\_\_\_ Enter the amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 but unentered, in the prior application.
2.   X   A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

	<u>Number Filed</u>		<u>Number Extra</u>		<u>Rate</u>		<u>Calculations</u>
Basic Fee						=	\$ 710.00
Total Claims	7 - 20	=	-0-	x \$	22.00	=	\$ -0-
Indep. Claims	2 - 3	=	-0-	x \$	74.00	=	\$ -0-
Multiple Dependent Claims Presented				+	\$ 230.00	=	\$ -0-
Total of Above Calculations							\$ 710.00

3. x The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.
4. x A check in the amount of \$710.00 is enclosed.
5.     A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. x Amend the specifications by inserting before the first line the sentence:

B1  
This application is a:     Continuation-in-part  
  x   Continuation  
    Division

of application Serial No. 07/931,154, filed August 17, 1992.

7.            verified statement(s) claiming small entity status (is)(are) enclosed.  
(Necessary even if a statement was filed in the prior application.)
8.     Priority of application Serial No.           , filed on            is claimed  
under 35 U.S.C. 119.
- The certified copy of the priority application:
- is enclosed  
    has been filed in prior application Serial No.                           ,  
filed on                             
    has not yet been filed.
9. x The prior application is assigned of record to: **CHIRON CORPORATION**  
Recordation Date: 03/18/88  
Reel: 4857 Frame: 0804 (Luciw)  
Reel: 4857 Frame: 0806 (Dina)

10. x Also enclosed: Transmittal Letter; Blanket Petition for Extension of Time; and **copy** of Petition for Three-Month Extension of Time Pursuant 37 CFR 1.17(b), mailed 7/08/93 to PTO, for Serial No. 07/931,154
11. x The current power of attorney in the prior application is to: William H. Benz (25,952); Thomas E. Ciotti (21,013); Gladys H. Monroy (32,430); Kate H. Murashige (29,959); Robert P. Blackburn (30,447); Peter J. Dehlinger (28,006); Dianne E. Reed (31,292); Ronald Craig Fish (28,843); Grant D. Green (31,259); and Lisabeth Feix Murphy (31,547).
- a. x The power appears in the original papers in the prior application.
- b. — Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. x Recognize as Associate Attorneys: Ling-Fong Chung (36,482); Amy L. Collins (33,370); Kenneth M. Goldman (34,174); Barbara G. McClung (33,113); and Philip L. McGarrigle, Jr. (31,395)
- d. x Address all future communications: (May only be completed by applicant, or attorney or agent of record)

Barbara G. McClung, Esq.  
Chiron Corporation  
Intellectual Property Department-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a

PATENT

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37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

7/8/93

Date

Barbara G. McClung

Barbara G. McClung  
Registration No. 33,113

Address of Signator:

CHIRON CORPORATION

4560 Horton Street

Emeryville, CA 94608-2916

Telephone: (510) 601-2708

Facsimile: (510) 655-3542

- ☐ attorney or agent of record
- ☒ filed under §1.34(a)
- ☐ inventor(s)
- ☐ assignee of complete interest